11-15-02

RCE/1600 $

PTO/SB/30 (5/2000)
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8,1995.
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/782,184
Filing Date	February 12, 2001
First Named Inventor	Sands
Group Art Unit	1616
Examiner Name	Gollamundi
Attorney Docket Number	12636-898

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
NOTE: *37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. s 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice,* Interim Rule, *65 Fed. Reg.* 14865 (Mar. 20, 2000), 1233 *Off. Gaz. Pat. Office* 47 (Apr. 11, 20000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114.
   - a. ☐ Previously submitted
     - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on *(Any unentered amendment(s) referred to above will be entered)*
     - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
     - iii. ☐ Other
   - b. ☒ Enclosed
     - i. ☒ Preliminary Amendment/Reply
     - ii. ☐ Affidavit(s)/Declaration(s)
     - iii. ☒ Information Disclosure Statement (IDS) **(1 Reference Cited)**
     - iv. ☐ Other

2. Miscellaneous
   - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F. R. § 1.17(i) required)
   - b. ☐ Other

3. Fees — The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
   - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 23-2415 (Docket No. 12636-898)
     - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
     - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) **(2 Month Extension)**
     - iii. ☐ Other
   - b. ☐ Check in the amount of $ enclosed
   - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

11/18/2002 AWONDAF1 00000173 232415 09782184
01 FC:1801 740.00 CH
02 FC:1252 400.00 CH

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	U.P. Peter Eng	*Registration No. (Attorney/Agent)*	39,666
Signature		*Date*	November 13, 2002

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: November 13, 2002			
Name (Print/Type)	Annette Palladino		
Signature		*Date*	November 13, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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2. 2.
11/19/02

Practitioner's Docket No. 12636-898

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Howard Sands, et al.

Serial No.: 09/782,184 Group No.: 1616

Filed: February 12, 2001 Examiner: Gollamudi, Sharmila S.

For **Injectable Pharmaceutical Composition Comprising Microdroplets of A Camptothecin**

Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to an examination on the merits of the above-identified application please amend the application as follows:

In the Claims:

Please amend independent claims 1, 18-19, and dependent claims 22-23 as follows:

1. (Twice Amended) An injectable pharmaceutical composition comprising:

an aqueous suspension of microdroplets suitable for intravenous delivery, the microdroplets having a mean diameter between 200 Angstroms and one micron, the microdroplets comprising a substantially water-insoluble, pharmacologically acceptable liquid that does not tend to form micelle structures, a camptothecin dissolved in water-insoluble, and pharmacologically acceptable liquid, and an outer layer comprising a phospholipid.